

Albert L. Brinkman #133444

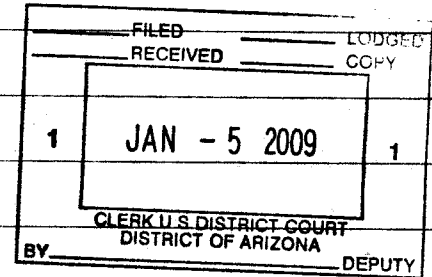
Arizona State Prison Complex

Tucson-Manzanita Unit 5-B-34

P.O. Box 24401

Tucson, Az. 85734-4401

Plaintiff-Pro Se



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

ALBERT L. BRINKMAN,

Plaintiff,

v.

DORA B. SCHRIRO, et al.,
Defendants.

No. CV08-670-TUC-CKJ

MOTION FOR CHANGE
OF VENUE

Comes now, the Plaintiff, Albert Brinkman, Pro Se, and moves the Honorable Court to order a Change of Venue in this case, to transfer this action back to the U.S. District Court in Phoenix, Arizona (Sandra Day O'Connor U.S. Courthouse), where it was originally mailed by the Plaintiff to be filed and assigned. In support of this

motion, Plaintiff states the following:

1. That this motion to change venue; from the U.S. District Court - Tucson, to the U.S. District Court - Phoenix; is brought pursuant to 28 U.S.C. §§ 1404(a), 1406(a), and 1631 in the interests of justice and a fair proceeding.
2. That the Plaintiff believes that, based upon the actions and past conduct of a District Court Judge in a previously filed case (See: Brinkman v. Schriro, et al., CV06-512-TUC-CKJ) that he is unable to receive a fair and impartial review and proceedings in the Tucson District Court of this action.
3. That the Plaintiff had mailed the Complaint of this action to the U.S. District Court in Phoenix, for filing in that, proper, venue and assignment to a different judge.
4. That the Clerk of the Court - Phoenix transferred the Complaint to the Tucson division, where it was then filed and assigned to the same judge (Jorgenson) who is a named Defendant in the Complaint, which

alleges numerous and specific actions and omissions of misconduct and violations of constitutional rights of the Plaintiff therein.

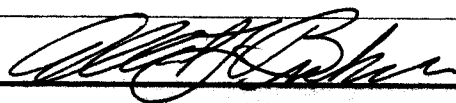
See: Complaint filed December 23, 2008, Count I Denial of Access to the Courts.

5. That venue is properly vested in the U.S. District Court in Phoenix for this action, as the events stated in the Complaint began, accrued and were continued in the Phoenix area (Lewis Prison Complex - Buckeye); the major defendants and majority of the defendants reside and work in the Phoenix area (Lewis Prison; A.D.O.C. Central Office; Arizona Attorney General's Office); and it would be more convenient to transport the Plaintiff to the Phoenix Court than to require all of the Phoenix defendants to travel to the Tucson Court for hearings and a trial lasting several days or weeks.

Wherefore, based upon the above

facts and in the interests of justice, a fair proceeding and an objective, outside court in these serious matters, the Plaintiff hereby moves that venue be changed to the District Court in Phoenix forthwith.

Respectfully Submitted this 2nd day of JAN., 2009.



Albert L. Brinkman
Plaintiff-Pro Se

Copies of the foregoing mailed this 2nd day of JAN., 2009, to:

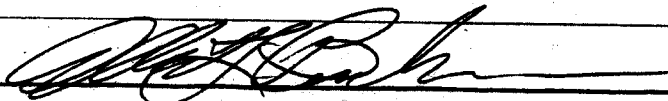
Presiding Judge, U.S. District Court
Evo A. DeConcini U.S. Courthouse
405 West Congress St.
Tucson, AZ. 85701-5010

Presiding Judge, U.S. District Court
Sandra Day O'Connor U.S. Courthouse
401 West Washington St., SPC 1
Phoenix, AZ. 85003-2119

Honorable Cindy K. Jorgenson
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By: 
Albert L. Brinkman
Plaintiff - Pro Se